

**MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
REGIONAL COUNCIL MEETING**

February 23, 2011  
MAG Office, Saguaro Room  
Phoenix, Arizona

**MEMBERS ATTENDING**

Mayor Thomas Schoaf, Litchfield Park, Chair  
Mayor Hugh Hallman, Tempe, Vice Chair  
# Councilwoman Robin Barker, Apache Junction  
Mayor Marie Lopez Rogers, Avondale  
Mayor Jackie Meck, Buckeye  
# Mayor David Schwan, Carefree  
Councilman Dick Esser, Cave Creek  
# Mayor Jay Tibshraeny, Chandler  
# Mayor Lana Mook, El Mirage  
\* President Clinton Pattea, Fort McDowell  
Yavapai Nation  
# Mayor Jay Schlum, Fountain Hills  
\* Mayor Ron Henry, Gila Bend  
\* Governor William Rhodes, Gila River Indian  
Community  
Mayor John Lewis, Gilbert  
# Mayor Elaine Scruggs, Glendale  
# Vice Mayor Joe Pizzillo, Goodyear  
\* Mayor Yolanda Solarez, Guadalupe

\* Supervisor Mary Rose Wilcox, Maricopa Co.  
Vice Mayor Scott Somers for Mayor Scott  
Smith, Mesa  
\* Mayor Scott LeMarr, Paradise Valley  
\* Mayor Bob Barrett, Peoria  
# Councilwoman Peggy Neely, Phoenix  
# Mayor Gail Barney, Queen Creek  
\* President Diane Enos, Salt River  
Pima-Maricopa Indian Community  
# Mayor Jim Lane, Scottsdale  
# Councilwoman Sharon Wolcott, Surprise  
\* Mayor Adolfo Gamez, Tolleson  
\* Mayor Kelly Blunt, Wickenburg  
Mayor Michael LeVault, Youngtown  
\* Felipe Zubia, State Transportation Board  
\* Victor Flores, State Transportation Board  
Roc Arnett, Citizens Transportation Oversight  
Committee

\* Those members neither present nor represented by proxy.

# Attended by telephone conference call.

+ Attended by videoconference call.

1. **Call to Order**

The meeting of the MAG Regional Council was called to order by Chair Thomas Schoaf at 5:03 p.m.

2. **Pledge of Allegiance**

Mayor Marie Lopez Rogers led the Pledge of Allegiance.

Chair Schoaf introduced Vice Mayor Scott Somers as proxy for Mayor Scott Smith, Mesa.

Chair Schoaf welcomed back to the Regional Council Mayor Jay Tibshraeny from Chandler, who served on the Regional Council from 1994 to 2002. Mayor Tibshraeny stated that the Regional Council was a change of pace from the State Legislature.

Chair Schoaf noted that materials for agenda items #5D, #10, and #12 were at each place. These items had previously been transmitted to members.

3. Call to the Audience

Chair Schoaf noted that public comment cards were available to members of the audience who wish to speak on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens are requested to not exceed a three minute time period for their comments. A total of 15 minutes is provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard. Chair Schoaf noted that no public comment cards had been received.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, reported on items of interest to the MAG region. He stated that MAG hosted a workshop on Census 2010 on February 22, 2011, to learn about new census tools and using census data. Mr. Smith noted that the workshop was attended by more than 130 people. He acknowledged the University of Arizona that made it possible for the workshop to be held at its facility at 7<sup>th</sup> Street and Van Buren. Mr. Smith stated that the Paradise Valley Town Manager, Jim Bacon, who is chair of the MAG Population Technical Advisory Committee, welcomed attendees to the event.

Mr. Smith stated that MAG hosted a visit by the World Affairs Council, an international leadership program. He reported that the Council is interested in urban planning and economic development, and MAG shared its information with them. Mr. Smith noted that the participants come from the countries of Afghanistan, India, Pakistan and Sri Lanka.

Chair Schoaf thanked Mr. Smith for his report. No questions from the Council were noted.

5. Approval of Consent Agenda

Chair Schoaf noted that agenda items #5A, #5B, #5C, #5D, #5E, and #5F were on the Consent Agenda. He noted that no public comment cards had been received. Chair Schoaf asked members if they had questions or requests to hear an item individually.

Vice Chair Hallman first apologized for coming in by telephone but he was caught up in traffic. He stated that he had a question on agenda item #5D, and he added that he preferred to not take it off the Consent Agenda if his question could be answered. Vice Chair Hallman stated that projects are identified as example projects and they seem to gain priority and end up in the Work Program alongside

those projects that have been studied. He expressed his concern that these example projects would gain momentum over other projects.

Mr. Smith stated that in its development, the Work Program is presented incrementally each year to the Regional Council leading up to adoption in May. He noted that some of the potential new projects are staff-driven and some are committee-driven, and this month is the first cut for the new projects. Mr. Smith encouraged input by saying that if there is an issue staff would like to hear about it, along with suggestions for other regional projects to consider.

Vice Chair Hallman stated that example projects are sometimes treated as if they competed for funding against other projects of the same quality and character. He said that his concern is that these example projects could come at the expense of other projects. Vice Chair Hallman suggested discussion of his concern and how to address it in the future take place at the Executive Committee.

Chair Schoaf directed staff to have this item on the next Executive Committee agenda.

Vice Chair Hallman moved to approve the Consent Agenda. Councilmember Esser seconded, and the motion passed unanimously.

5A. Approval of the January 26, 2011, Meeting Minutes

The Regional Council, by consent, approved the January 26, 2011, meeting minutes.

5B. Recommendation to the Arizona Department of Transportation's Safe Routes to School Program

The Regional Council, by consent, approved the ranked list of projects to be submitted to the Arizona Department of Transportation for the Safe Routes to School Program. The Arizona Department of Transportation's (ADOT) Safe Routes to School (SRTS) Program provides annual grants for road safety improvement projects that are related to access to schools. The program provides grants to public and non-profit agencies for projects that improve road safety and encourage more K-8 children to walk or bike to their neighborhood schools. This is the fifth cycle of the program, and grants will be provided to projects that implement infrastructure improvements as well as projects that would involve education, training and encouragement. In response to the ADOT request for proposals announced in October 2010, 13 project applications from the MAG region were received by ADOT. The ADOT proposal review process stipulates that MPOs and COGs must recommend a ranked list of projects to ADOT by February 26, 2011. These recommendations will be considered by a statewide SRTS panel that will make a final recommendation to ADOT. The MAG Transportation Safety Committee reviewed all project proposals, and on January 18, 2011, recommended a ranked list of projects from the region as the MAG recommendation to ADOT. On February 9, 2011, the MAG Management Committee recommended approval of the ranked list of projects to be submitted to ADOT.

5C. FY 2012 MAG Human Services Coordination Transportation Plan

The Regional Council, by consent, approved the FY 2012 MAG Human Services Coordination Transportation Plan. The federal Safe and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) requires the establishment of a locally developed, coordinated public transit-human services transportation plan for all Federal Transit Administration programs for underserved populations: the Elderly Individuals and Individuals with Disabilities program (Section 5310); the Job Access and Reverse Commute program (Section 5316); and the New Freedom program (Section 5317). MAG has updated this coordination plan each year in compliance with this requirement since 2007. The FY 2012 MAG Human Services Coordination Transportation Plan was recommended for approval by the MAG Human Services Technical Committee and the MAG Human Services Coordinating Committee in January 2011, and by the MAG Management Committee on February 9, 2011.

5D. Development of the FY 2012 MAG Unified Planning Work Program and Annual Budget

Each year, the MAG Unified Planning Work Program and Annual Budget is developed in conjunction with member agency and public input. The Work Program is reviewed each year by the federal agencies in April and approved by the Regional Council in May. To provide an early start in developing the Work Program and Budget, this presentation was an overview of MAG's draft proposed new projects for the FY 2012 Work Program. The updated draft budget timeline, the invitation for the Budget Webinar presentation on February 17, 2011, at 1:00 P.M. in the MAG Palo Verde Room, and estimated dues and assessments were included with the budget documents. This item was on the agenda for information and input on the development of the fiscal year (FY) 2012 MAG Unified Planning Work Program and Annual Budget.

5E. 2009 Arizona Building Officials Code Review and Development Committee Amendments for the 2009 International Code Council Codes

The Regional Council, by consent, recommended that MAG member agencies consider adopting the 2009 Arizona Building Officials (AZBO) Code Review and Development Committee Amendments for the 2009 International Code Council (ICC) Codes. At the January 2011 MAG Building Codes Committee (BCC) meeting, members discussed an initiative to reach consensus in unison on the Arizona Building Officials (AZBO) Code Review and Development Committee Amendments for the 2009 International Code Council (ICC) Codes. The MAG BCC makes recommendations on the development, interpretation and enforcement of building codes in the MAG region. It also provides a regional forum for construction, development, and other issues as they relate to building codes. In an effort to promote uniformity throughout MAG jurisdictions under the interest of life safety a motion was passed to recommend that MAG member agencies consider adopting the AZBO Code Review and Development Committee Amendments for the 2009 ICC Codes. On February 9, 2011, the MAG Management Committee recommended that MAG member agencies consider adopting the 2009 AZBO Code Review and Development Committee Amendments for the 2009 ICC Codes.

5F. Social Services Block Grant Allocation Recommendations

The Regional Council, by consent, approved that the Social Services Block Grant (SSBG) allocation recommendations for FY 2012 be forwarded to the Arizona Department of Economic Security. Through a partnership with the Arizona Department of Economic Security (DES), the MAG Human Services Coordinating Committee prioritizes services to receive funding with locally planned Social Services Block Grant (SSBG) dollars. Services funded by SSBG support assistance to the most vulnerable people in the region, including four target groups of Older Adults; People with Disabilities; People with Developmental Disabilities; and Adults, Families, and Children. Upon completion of research and a service ranking exercise by the MAG Human Services Technical Committee and the MAG Human Services Coordinating Committee in January 2011, it is proposed to move \$58,946 to the highest priority services. On February 9, 2011, the MAG Management Committee recommended approval of the SSBG allocation recommendations for FY 2012 to be forwarded to the Arizona DES.

6. Phoenix West Alternatives Analysis Update and Operating Plan

Tom Callow, Project Director at METRO, provided an update on the Phoenix West Alternatives Analysis (AA) study, before seeking approval in summer 2011. Mr. Callow reported that the Phoenix West alignment starts in downtown Phoenix and proceeds west along Interstate 10 to 79<sup>th</sup> Avenue to Avondale and Tolleson. Mr. Callow stated that Proposition 400 assumed that one dollar in local funds would have a one dollar match in federal funds, however, the requirements for federal funding are quite strict. He stated that the AA began in May 2007, and is at the stage when the recommendations from the AA will be presented to the community.

Mr. Callow stated that initially, projections showed light rail would have 7.8 million riders per year, but the projections have been surpassed with 11.3 million riders in 2009 and 12.6 million riders in 2010. He stated that the projections estimated 26,000 average boardings per weekday and the actual boardings are 39,000. Mr. Callow noted that the 20-mile light rail line represents 20 percent of all transit usage in the region.

Mr. Callow displayed a map of the study area and described that it begins with the existing system that runs along Central Avenue in Phoenix and then westward along I-10 to Loop 101. He noted that the Proposition 400 funds are programmed for the west alternative only to 79<sup>th</sup> Avenue.

Mr. Callow stated that the study area was split into two segments: the mainline segment is I-17 to Loop 101 and the other segment is I-17 to downtown Phoenix.

Mr. Callow stated that an alternatives analysis has two purposes: to determine what was going to be built and where it was going to be built. He noted that these two factors have to be decided in order to apply for federal funding.

Mr. Callow noted that the alternatives analysis considered light rail transit and bus rapid transit and the recommended mode is light rail, which is the recommendation they will present to the public. He said

that he thought the corridor was shown as light rail in Proposition 400, but in order to receive federal funding, the federal government requires an analysis that considers all of the options.

Mr. Callow stated that in July 2008, the MAG Regional Council adopted the I-10 right of way as the preferred alternative for this corridor, although at that time, the mode was not specified.

Mr. Callow stated that since then, METRO has worked with MAG and ADOT on looking at this as a total corridor. He said that it was originally thought an alignment in the I-10 median would be the ideal location because the median included a 50-foot reservation for high capacity transit. Mr. Callow stated that land use was looked at more in depth and the implications of the connection of the South Mountain Freeway with I-10 caused them to recommend being in the median from I-17 to approximately 47<sup>th</sup> Avenue, with a station in the median at 35<sup>th</sup> Avenue. Mr. Callow stated that the light rail would then transition out of the median via a bridge structure up to the north side of I-10 and would run along the existing drainage channel and easement along the north side of I-10. He stated that this allows light rail to get closer to residential development in the area. Mr. Callow described the south side of I-10 from about 43<sup>rd</sup> Avenue to Loop 101 as containing many big box warehouses and he said that the passengers are on the north side of I-10. He stated that this recommended alignment also allows ADOT to take advantage of the 50-foot reservation and use it for future expansion.

Mr. Callow stated that they spent three years studying how to get from the intersection of I-17 and I-10 to the existing system. He displayed a map of the alternatives evaluated for the connection. Mr. Callow pointed out that the orange lines on the map indicate the new structures that would be required by the different alternatives, and he noted that the alternative continuing along I-10 through the stack would require the construction of a 4,000 foot bridge. He added that the bridge would not only have to cross I-17, but also the BNSF railroad switchyard. Mr. Callow stated that they have taken this option off the table because ADOT had concerns if it was even possible, and it would be very expensive and difficult to construct.

Mr. Callow stated that when they were struggling with the connection, MAG Engineer Bob Hazlett suggested looking at the existing frontage road on the west side of I-17 between McDowell Road and Van Buren Street. He noted that it is a lightly used frontage road with no direct off access. Mr. Callow explained that the on ramp at McDowell Road would remain open and the frontage road would terminate south of the ramp, which would be utilized for a two-way rail connection. He noted that ADOT, FTA, and FHWA support this. Mr. Callow also mentioned that two existing service driveways to the cemetery would be cut off, but the cemetery has indicated it does not like to use them anyway, because they are high speed and present a risk.

Mr. Callow stated that the light rail would proceed down the frontage road to Jefferson Street, which is a one-way street with a 100-foot right of way. He said that the two tracks would go east on Jefferson Street to approximately 8<sup>th</sup> Avenue, where the tracks would split – one on Jefferson Street and one on Washington Street.

Mr. Callow noted that comments were received regarding every alignment that was considered – some in opposition and some in support. Mr. Callow stated that every alignment impacted someone, because

they are trying to go through an existing urban environment where the right of ways are not large enough or there are buildings in the way. Mr. Callow said that Jefferson Street runs through the St. Matthew's Neighborhood, which is a residential neighborhood west of the Capitol, and there are some in opposition and some in support of this alignment. He reported that some people have stated that this alignment will wipe out landscaping and ruin front yards, but this is not the case. Mr. Callow stated that Jefferson Street has a 100-foot right of way and light rail can be accommodated in the existing lanes without removing the existing sidewalks. He remarked that he thought these fears could be addressed through the environmental impact statement.

Mr. Callow showed a map of the recommended alignment that will be taken to the community. He described that it runs for 11 miles starting at the 79<sup>th</sup> Avenue park and ride lot, to a 59<sup>th</sup> Avenue park and ride lot, along the I-17 frontage road through the State Capitol and into the downtown light rail system.

Mr. Callow stated that they also recommend some early action bus activities in the corridor that will help in the long term when the light rail system is up and running. He said they are not actively saying they want to build them today, just have them positioned if any federal grant opportunities arise. Mr. Callow stated that these potential improvements include expanding the 79<sup>th</sup> Avenue park and ride lot, building the 59<sup>th</sup> Avenue park and ride lot, and building a connection from the middle of I-10 to the I-17 ramp to take advantage of the Rapid buses to the Capitol, which could improve travel time. Mr. Callow noted that additional bus service, where none currently exists, needs to be considered in order to bring people to the light rail line. Mr. Callow displayed a list of approvals received so far and stated that they anticipate bringing the recommendations forward in May 2011 for approval.

Chair Schoaf thanked Mr. Callow for his presentation and asked members if they had questions.

Vice Chair Hallman asked if consideration had been given to expanding the couplet of Jefferson Street and Washington Street to include Van Buren Street. Mr. Callow replied yes, and explained that Van Buren Street has a much narrower right of way than that at Central Avenue, First Street, and Apache Boulevard. He remarked that he was mostly familiar with the Phoenix segment because he worked for the City of Phoenix when the previous project was under construction. Mr. Callow stated that Central Avenue, Washington Street, and Jefferson Street have 100-foot right of ways, which easily accommodate light rail. He explained that Van Buren Street has an 80-foot right of way and when you try to drop light rail into an 80-foot right of way, the improvements run into existing development. For this reason, they ruled out Van Buren Street for an alignment fairly early.

Vice Chair Hallman stated that from past experience the argument could be made for expanding the couplet to Van Buren, if only to drive better economic development opportunities. He stated that the development impact along the Jefferson Street and Washington Street corridors in Phoenix was not as much as he hoped for. Vice Chair Hallman stated that his premise is the corridor between Jefferson and Washington is too narrow to support as much development activity as if the couplet were separated farther. Mr. Callow asked for clarification if Vice Chair Hallman was suggesting a line on Van Buren and one on Jefferson.

Vice Chair Hallman stated that the amount of real estate captured in the couplet of Washington and Jefferson is not sufficient to allow for real estate and economic development opportunities. He said he was curious if moving the couplet to Van Buren and going farther west with a broader couplet to provide better access to residents and less impact on their landscaping had been studied. Mr. Callow replied he did not think they had ever studied one line on Van Buren with one line on Jefferson. He stated that this would place the stations several blocks apart and makes it difficult for people to figure out they have to go to Jefferson for their return trip after they got off on Van Buren.

Vice Chair Hallman expressed his understanding of that and noted that there are couplets set up currently, for example, in downtown Phoenix, some of the stations are not visible from other stations and people figure it out. He said that through past experiences, having the couplets farther apart provide more opportunity for economic development. Vice Chair Hallman stated that it is Phoenix's issue but he wondered if this had been examined to improve the results from light rail. Mr. Callow replied no.

Mayor Rogers expressed her appreciation for the presentation given to the Southwest Valley Rail Partnership, a business coalition. She noted that this project, as well as commuter rail, has the support of businesses and residents in the Southwest Valley.

#### 7. Western High Speed Rail Alliance/State Rail Plan Update

Marc Pearsall, MAG Transit Planner, began his presentation by saying that MAG is a member of the Western High Speed Rail Alliance (WHSRA). He said that other WHSRA members include the Nevada Department of Transportation and the Regional Transportation Commission of Southern Nevada. Mr. Pearsall stated that the WHSRA made progress in the past few months, receiving \$500,000 in funding from the Federal Railroad Administration (FRA) for high speed rail studies. He noted that the purpose of the studies is to look at the "Golden Triangle" corridor between Phoenix, Los Angeles and Las Vegas. Mr. Pearsall stated that study direction from the Nevada DOT is anticipated in the coming months, and he would be back with another update in April. He added that MAG will contribute input to the effort.

Mr. Pearsall then presented an update on the Arizona State Rail Plan. He reported that ADOT recently completed the State Rail Plan and presented it to the State Transportation Board on January 10, 2011. Mr. Pearsall noted that input from the Board will be incorporated into the document and a final draft will be submitted to the Board in March for acceptance. Mr. Pearsall noted that this is an unfunded document, but it provides a blueprint for Arizona to move forward with rail travel, both passenger and freight.

Mr. Pearsall stated that the federal government, the Federal Railroad Administration, and the Federal Transit Administration encourage this document and how states can plan and fund rail corridors in the future. He said that MAG has been working with ADOT for the duration of the study and WHSRA efforts are embedded in the document. Mr. Pearsall stated that the Federal Railroad Administration also encourages that the plan be updated and revised annually or as needed.



Mr. Pearsall stated that ADOT will be hosting a kickoff meeting for its study of intercity rail between Phoenix and Tucson on March 10, 2011, at the Sheraton Wild Horse Pass on the Gila River Indian Community. He added that he had further information about the event that could be provided.

Chair Schoaf thanked Mr. Pearsall for his report and asked members if they had questions.

Vice Chair Hallman first thanked Mr. Pearsall for his presentation, and he asked that in terms of a high speed rail corridor if it would make sense that an alternatives analysis might be done in connection with the I-11 effort. Mr. Pearsall replied that the information from the WHSRA and the Nevada DOT would answer Mayor Hallman's question, such as how the \$500,000 can be spent, which corridor they will seek study work on. He said that hopefully, the Phoenix/Las Vegas corridor will be first. Mr. Pearsall displayed a photo of the Desert Express High Speed Rail, which is a privately funded venture with the California High Speed Rail Authority. He reported that the line will run from Victorville, California, to Las Vegas, Nevada, and it seemed redundant to study this when there is \$500,000 to study another line, hence the Phoenix/Las Vegas option. Mr. Pearsall added that the private sector on the Desert Express project applied for a \$4.5 billion loan from the government to build this line.

8. Multimodal Transit System Tour - MAG Region Peer Cities

Mr. Pearsall stated that last fall, the Management Committee requested that MAG explore the possibility of a multimodal transit tour of a MAG peer region. He said that the purpose of the on-site tour would be for MAG region leaders to gather information and investigate the benefits of the connectivity between commuter rail, light rail and bus transit, etc. Mr. Pearsall stated that over the past few months, MAG staff researched Dallas, Salt Lake City, Seattle, and other peer cities, and found that the Salt Lake City system was the best and closest example of a transit system in the Intermountain West.

Mr. Pearsall noted that the Utah Transit Authority (UTA) has agreed to host MAG representatives for a tour. He said that the original plan was for an April tour, but October now appears to be a better option and UTA indicated it can accommodate an October tour. Mr. Pearsall stated that the Management Committee requested that estimates on travel costs be provided and he said that he would have that information by April.

Mr. Pearsall stated that the UTA operates between Ogden, Salt Lake City, and Provo, utilizing bus, light rail, and commuter rail. He pointed out the UTA system currently has three light rail lines, a commuter rail line and more than 100 buses. Mr. Pearsall added that three more light rail lines and a streetcar are planned. Mr. Pearsall stated that UTA also has a 44-mile FrontRunner commuter rail line from Salt Lake City to Ogden, which will be expanding another 44 miles and an additional 35 miles planned.

Chair Schoaf thanked Mr. Pearsall for his report and asked members if they had questions.

Vice Chair Hallman asked for confirmation that one organization, the UTA, operates bus, light rail, and commuter rail, and will operate the modern streetcar. Mr. Pearsall replied yes.

9. Withdrawal of the MAG Five Percent Plan for PM-10

Lindy Bauer, MAG Environmental Director, noted that the Regional Council received a report on the withdrawal of the MAG 2007 Five Percent Plan for PM-10 on January 25, 2011. She said that the withdrawal will enable MAG to use the new Environmental Protection Agency (EPA) emissions factors for paved road dust to help improve the plan. Ms. Bauer stated that the Finding of Failure to Submit a Plan was made on February 14, 2011, which triggered the sanctions clocks. She explained that if MAG submits a new plan to the EPA by January 2012, EPA will make a Finding of Completeness, which will stop the sanctions clocks. Ms. Bauer further explained that if EPA takes approval action on the plan before 24 months have elapsed, it will stop the implementation of a federal plan.

Ms. Bauer reported that on February 9, 2011, EPA also withdrew the adequacy finding for the prior motor vehicle budget MAG previously used for conformity. She explained that MAG will revert to the budget used in the MAG Serious Area Plan and should be able to demonstrate conformity if a new major project comes through.

Ms. Bauer stated that at a meeting hosted by EPA on February 3, 2011, Maricopa County, Arizona Department of Environmental Quality (ADEQ), and MAG discussed technical approvability issues with the emissions inventory, which provides the foundation for the plan.

Ms. Bauer stated that on February 22, 2011, EPA staff Colleen McKaughan testified at the Arizona House Environment Committee that the measures in the plan were good and the plan had been successful in reducing violations during stagnant conditions, however, the plan should now focus on high winds.

Ms. Bauer stated that on February 16, 2011, EPA hosted a meeting in this area to discuss exceptional events and at the meeting expressed a willingness to work on exceptional events. She reported that EPA intends to come out with high wind exceptional events guidance in April, which will be presented to Westar, a coalition of 15 western states. Ms. Bauer noted that states will then be able to comment on the guidance during the public comment period. She stated that EPA said it needs a definition for the speed at which high winds overwhelm the control measures.

Ms. Bauer stated that EPA discussed the success of Clark County, Nevada, who did a customized package defining high winds for its area. She said that EPA indicated that this region and the state could do the same for this region. Ms. Bauer stated that the reason Clark County has been so successful in attaining the standard is preventing exceedances from happening in the first place. She reported that Clark County's plan is to watch the monitors and meteorology, and when high winds are forecasted, they notify the facilities they will be sending out inspectors. Ms. Bauer stated that prevention was a major takeaway for MAG staff who attended a workshop hosted by Clark County in 2007.

Ms. Bauer stated that at the meeting, EPA also spoke about the 2009 exceptional events and said most of them were due to dust storms and there were only a few they might question. She stated that 2009 might be a clean year, 2010 was a clean year, and if 2011 is a clean year, the region would have three years of clean data at the monitor. Ms. Bauer remarked this will be the best scenario for this region.

She stated that EPA could then issue an attainment finding. Ms. Bauer explained that EPA has a Clean Data Policy and if the region has attained the standard, it would be relieved of some of the Clean Air Act requirements, such as reasonable further progress and five percent reductions in emissions.

Ms. Bauer stated that the region would also be relieved of a demonstration of attainment and contingency measures as long as it remains clean at the monitors. She said that if this happens, the region could focus its efforts on a request for redesignation to attainment and a maintenance plan showing how the region will stay clean for at least ten years.

Ms. Bauer stated that it is critical to be vigilant at the monitors. She said that ADEQ is asking what measures are being done on a voluntary basis that the region is willing to have mandated. Ms. Bauer remarked that during this economic downturn is not an opportune time for mandating measures that might cause further economic burdens on businesses and industries.

Ms. Bauer said that it appears the agriculture industry will need legislation to address some issues EPA has with agriculture best management practices. She stated that ADEQ has indicated it will attempt to draft language for its notifications to entities that various high winds are being forecasted. Ms. Bauer requested MAG members provide ideas on how cities could help prevent violations at the monitors, for example, when high winds are forecasted, jurisdictions check their activities and ensure that dust is under control. Ms. Bauer noted that one city is already distributing maps of the monitors to contractors. Ms. Bauer stated that cities could be the eyes and ears of the County and could report activities that could cause exceedances. She stated that another idea is to produce a MAG high wind awareness video informing the public of activities that they need to avoid, especially during high winds. Ms. Bauer stated it is ten months until January 2012, and there is a chance for clean data at the monitor. She stated that County staff requested that Regional Council members talk to their police departments to make sure there is awareness of off-highway vehicle ordinances throughout the jurisdiction's law enforcement personnel.

Chair Schoaf thanked Ms. Bauer for her report and asked members if they had questions.

Vice Chair Hallman asked what would happen if the new plan was not viewed as complete by the EPA. Ms. Bauer replied that within 18 months of February 14, 2012, EPA would levy the first sanction, which is the two to one offsets for business and industry. She explained that it takes EPA approximately six months to make a completeness finding and that is the reason to submit the new plan by January 2012 to allow EPA time to deem it complete.

Vice Chair Hallman asked if it was possible that even if the new plan was complete, EPA might not act in 24 months. Ms. Bauer replied that anything was possible, however, the EPA recently made a commitment to take action on plans in a more timely fashion.

Vice Chair Hallman asked the result if EPA did not take action in 24 months. Ms. Bauer replied that there is the possibility of citizen lawsuits, which is what happened when the Arizona Center for Law in the Public Interest filed a lawsuit against EPA for not taking action on the MAG Five Percent Plan in a timely manner.

Vice Chair Hallman asked what could happen if the new plan is not approved. Ms. Bauer replied that if EPA did not approve the plan, it would disapprove the plan, which could result in sanctions.

Chair Schoaf asked if MAG had started work on the new plan in order to be ready by December or January. Ms. Bauer replied yes, work has begun. She stated that the emissions inventory is the foundation for the plan and today, MAG staff gave a presentation at a meeting at ADEQ on the wind blown dust category. Ms. Bauer stated that MAG has completed work on the paved road dust emissions factor using the AP-42 factor and provided it to the County. Ms. Bauer stated that EPA said it would like time to look at the wind blown dust piece and may have questions, which will require responses. Ms. Bauer stated that the County is also working on the rule effectiveness piece. She noted that tonight staff is discussing with the Regional Council ways to be proactive and it is important to prevent exceedances from occurring.

Chair Schoaf asked if it was possible to have a plan not accepted as complete even though a plan is submitted by January 2012, and 2009 and 2011 are ruled clean, and the region is in attainment. Ms. Bauer replied that there might not be a need for a plan like this if the region has three years of clean data. She did note the region would not be relieved of one requirement -- the New Source Review, which is a function of ADEQ. Ms. Bauer noted that MAG is checking on its status. Ms. Bauer stated that if the region is clean at the monitors by the time the plan is due, it would not be subject to certain requirements, such as the five percent reductions in emissions, because it would be in attainment. Ms. Bauer stated that a maintenance plan would also be done, which would need to show a clean data finding and a finding of attainment, and that it resulted from permanent enforceable measures with emission reductions. Ms. Bauer stated that is where the region could use the existing Maricopa County Rule 310, dust control rules, the dust control rules for vacant lot rules, Rule 316 for metal and mining operations, and agricultural measures. She noted that the agricultural industry is working on measures because the industry was part of the reason for the partial plan disapproval.

Vice Chair Hallman asked if the new PM-10 plan and a maintenance plan needed to be worked on simultaneously. Ms. Bauer replied that a maintenance plan is not required to be submitted right away and there is no deadline for submission. She reported that in the past, MAG has done maintenance plans for carbon monoxide and for the one-hour ozone standard, both of which were approved by EPA. Ms. Bauer stated that MAG has an eight-hour ozone maintenance plan at EPA, who indicated it might want MAG to do additional modeling.

#### 10. Update on MAG Economic Development Committee

Denise McClafferty, MAG Management Analyst, began this agenda item by providing background on the Economic Development Committee (EDC). She said that the EDC was formed by the Regional Council in October 2010. The purpose of the EDC is to foster economic development opportunities and advance infrastructure in the MAG region. Ms. McClafferty stated that the EDC includes 12 member agency representatives, one ADOT representative, and 11 business members.

Ms. McClafferty stated that the EDC has had three meetings to date. At the February EDC meeting, the Committee approved staff moving forward with a partnership with the Greater Phoenix Economic

Council (GPEC) to develop a website that includes a data system for economic development, which they envision will be dynamic and interactive. Ms. McClafferty noted that MAG and GPEC staff met to begin discussions on the website's development. They are gathering information and will be scheduling future meetings.

Ms. McClafferty stated that also at the February EDC meeting, staff was requested to draft a letter from the EDC Chair to the Governor to encourage Intermountain West coordination of infrastructure. She noted that a copy of the letter was at each place. Ms. McClafferty stated that the EDC thought it was important to work with the Arizona Commerce Authority and other states to make sure adequate infrastructure is available in the Intermountain West. Ms. McClafferty stated that Mr. Jerry Colangelo, Co-Chair of the Arizona Commerce Authority, will make a presentation on the Authority at March 1, 2011, EDC meeting.

Ms. McClafferty stated that three major policy issues of interest to the EDC recurred: Interstate 11, inland ports, and re-establishing the Wellton Branch rail line or an alternative.

Eric Anderson continued the presentation. Mr. Anderson stated that there has been a lot of activity over the past year regarding economic development and the region needs to do a better job of broadening its economic base. He stated that the three projects are Interstate 11 (I-11), which is to build a complete interstate system between Phoenix to Las Vegas, Nevada, and possibly to Reno and the Pacific Northwest; the inland port and rail connections; reestablishing the Wellton Union Pacific branch line, which might have good economic benefit to the area.

Mr. Anderson stated that there are three activities regarding I-11. The first is the effort with the Congressional Delegation to get the corridor designated as an interstate. Mr. Anderson stated that this is a statewide effort and many community leaders, for example, Steve Betts, have taken an active role working with the Congressional Delegation.

Mr. Anderson reported that the second activity regarding I-11 is the environmental impact statement (EIS) for the section between I-10 and Wickenburg, which is envisioned to be a section of a future I-11 and a greenfield development. Mr. Anderson stated that the Governor recently sent a letter to ADOT Director John Halikowski instructing ADOT to find an additional \$1.5 million to fund the EIS. He noted that this would be in addition to the \$2 million ADOT already committed for the EIS process. Mr. Anderson stated that the effort should kick off this year and it will take three to four years to reach a record of decision. He noted that the Governor indicated in her letter to ADOT that the \$1.5 million was to come from uncommitted funds and not to come from any other program, either regional or state. Mr. Anderson reported that MAG staff made it clear that the way the Regional Transportation Plan was constructed, MAG does not have any additional funds to devote to I-11, either federal or sales tax, and funding will have to come from some other source. He stated that a National Trust Fund for freight has been discussed by Congress in reauthorization discussions. Mr. Anderson said that the I-11 corridor could meet that parameter and could be a major freight corridor.

Mr. Anderson reported that the third activity regarding I-11 is regarding negotiations on the right of way agreements with major landowners in the Hassayampa Valley. He noted that the alignment is not

determined so it is difficult to discuss right of way. Mr. Anderson stated that the formal agreement contained a lot of contingencies and the decision was made to put negotiations with property owners on hold until completion of the EIS. Mr. Anderson stated that in lieu of a right of way agreement, he thought a memorandum of understanding could be negotiated to memorialize the intent of all the parties. He said that the property owners have committed to donating right of way for I-11, and we do not want to lose that opportunity.

Chair Schoaf thanked Mr. Anderson for his report and asked members if they had questions.

Mayor Lewis asked for clarification of who approves the designation of I-11. Mr. Anderson replied there are two processes: Congressional action and an administrative action through the U.S. DOT and FHWA. He remarked that he understood that those seeking the designation are pursuing a dual track. Mr. Anderson also noted that Congressional action might be the easier path because more people are involved in an administrative action.

Mayor Rogers stated that she had recently returned from a trip to Washington, D.C., where she spoke to FHWA representatives. She said they indicated there will be a finite amount of funds to build highways in the next two to three decades. Mayor Rogers expressed concern for taking on another issue when there are many uncompleted projects in Proposition 400 that need funding. Mr. Anderson expressed the same concern as Mayor Rogers. He stated that there is a \$6 billion backlog that may grow as the population growth resumes and as improvements and maintenance are needed on existing facilities. Mr. Anderson stated that he felt the best alternative for I-11 is to pursue a dedicated source of funding, perhaps related to freight. He said MAG made it clear that this needs to be handled as a separate project that does not impact MAG funding streams committed to the region. Mr. Anderson stated that the \$6 billion deficit on the highway side, in addition to the deficits in other modes, is on their radar screen.

Mr. Arnett asked if lobbyists were working on the designation and what was the funding stream for the efforts. Mr. Anderson replied that interested parties are working on the designation with the Congressional delegation, but he did not think they were at the level of paid lobbyists. He commented that people, such as Jerry Colangelo, Steve Betts, and other members of the Arizona Commerce Authority, are working on this as a way to boost economic development. Mr. Anderson stated that he thought the Governor had made it clear in her letter to Mr. Halikowski that this is a top economic priority. He remarked that they feel it is a good move rather than MAG trying to carry this because it has too many responsibilities in the region already.

Mr. Anderson stated that ASU President Michael Crow recently arranged a meeting at ASU's Decision Theater. He said that attendees included principals of the Hassayampa Valley, Don Cardon (CEO of the Arizona Commerce Authority), and others, and they will be working on multimedia demonstrations on how freight flows might change if I-11 and the port at Punta Colonet are built. Mr. Anderson stated that MAG will provide its data to assist in that effort. He also mentioned that Councilwoman Neely's letter to the Governor included a suggestion to work more closely with the Intermountain West states. He said he also thought it appropriate for the Congressional Delegation to start looking at common areas of interest in the Intermountain West. Mr. Anderson stated that Arizona and the other Intermountain West

states have been left out of the infrastructure discussion nationally. He said that he thought the power derived from these types of coalitions could benefit the region.

11. Enabling Communities of Practice through Technology Pilot Project

Audrey Skidmore, MAG Information Technology Manager, provided an overview of Communities of Practice and a pilot project where MAG member agencies may collaborate and pool knowledge with stakeholders, consultants and each other. Ms. Skidmore played a video of an interview with the person who developed the concept of Communities of Practice, Dr. Etienne Wenger.

Mr. Smith stated that this item was presented to the Management Committee and they appeared interested. He noted that many member agencies already use this product. Mr. Smith stated that MAG will be one of the first regional agencies in the U.S. to implement a regional SharePoint. He said that MAG will buy the license, jurisdictions would designate who they want in their Community of Practice and MAG would provide the technology. Mr. Smith reported that the City of Phoenix used SharePoint for its ARRA projects; the documents were on SharePoint and the managers were making their presentations to the City Council directly from SharePoint. He explained that this will be a demonstration project that would start in the spring, and if successful, it would be expanded to the entire region. Mr. Smith commented that this is a way to share information to solve mutual problems.

It was noted that a quorum was not present and the meeting would need to be adjourned.

12. Legislative Update

This agenda item was not considered.

13. Request for Future Agenda Items

This agenda item was not considered.

14. Comments from the Council

This agenda item was not considered.

Adjournment

The meeting adjourned at 6:25 p.m.

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Chair

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Secretary